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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,144	01/31/2002	Michael W. Wallace	3301-11	3557
20575	7590	05/23/2006	EXAMINER PILLAI, NAMITHA	
MARGER JOHNSON & MCCOLLOM, P.C. 210 SW MORRISON STREET, SUITE 400 PORTLAND, OR 97204			ART UNIT 2173	

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/066,144
Filing Date: January 31, 2002
Appellant(s): WALLACE ET AL.

Scott A. Schaffer
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 2/28/06 appealing from the Office action
mailed 5/20/05.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

Li, Francis C. et al. "Browsing Digital Video" CHI 2000, 1-6 April 2000, pages 169-175

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-23 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by “Browsing Digital Video” (Li et al.), herein referred to as Li.

Referring to claims 1 and 19, Li discloses in connection with a video display system capable of displaying a sequence of video segments (page 2, column 1, lines 4-6). Li discloses a method for displaying a plurality of control objects associated with the video segments on a display screen (Figure 1). Li discloses displaying a first control object, associated with the displayed first video segment, on the display screen in a focus position simultaneous with the display of a first video segment on the display screen (Figure 1). Li discloses displaying a second control object, associated with a second video segment, adjacent to the focus position and moving the second control object to the focus position, and the first control object out of the focus position, in substantial synchronicity with a transition between the display of the first video segment and the second video segment on the display screen (page 3, Figure 1 and column 1, lines 1-10).

Referring to claims 2 and 11, Li discloses displaying a third control object adjacent to the focus position, whereby the focus position is interposed between the second control object and the third control object (Figure 1), wherein Li discloses a

means for the user to move forward or "jump-next" to the next control object as displayed in Figure 1, wherein a first, second and third control objects are displayed.

Referring to claim 3, Li discloses scrolling among the plurality of control objects based on input from a user of the video display system, accepting the selection of one of the plurality of control objects based on input from a user of the video display system and displaying a video segment associated with the selected control object (page 2, column 2, lines 50-52, page 3, Figure 1 and column 1, lines 1-3).

Referring to claim 4, Li discloses displaying a focus frame within the focus position, to supply a visual indication of user control of the first control object and moving the focus frame under user control to the second control object (page 2, column 2, lines 50-52, page 3, Figure 1 and column 1, lines 1-3).

Referring to claims 5 and 14, Li discloses that the first and second control objects including displayed therein visual annotation corresponding to the content of the video segments associated with the control objects (page 2, column 2, lines 39-49).

Referring to claims 6 and 15, Li discloses that the first, second, and third objects correspond to current, future, and past segments respectively within a default video sequence (page 3, Figure 1 and column 1, lines 1-6).

Referring to claim 7, Li discloses simultaneously moving the third object off of the display screen, and a fourth object onto the display screen simultaneous with the movement of the first object out of the focus position and the second object into the focus position so that the end position results in the focus position being interposed

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between the first control object and the fourth control object (Figure 1, page 3, lines 1-10 and page 6, column 1, lines 18-21).

Referring to claim 8, Li discloses displaying at the second control object a plurality of subobjects, each corresponding to a respective video segment, to provide a selectable branching pathway from the video segment associated with the first control object (page 6, column 1, lines 13-21).

Referring to claims 9, 17 and 23, Li discloses the absence of input from a user of the video display system, moving the preselected one of the second control subobjects to the focus position, and the first control object out of the focus position, at the end of the display of the first video segment (page 3, Figure 1 and column 1, lines 1-4).

Referring to claim 10, Li discloses a system, in connection with a video display system, for displaying a plurality of control objects simultaneous with associated video segments on a display screen (page 3, Figure 1). Li discloses displaying a first control object, associated with the displayed first video segment, on the display screen in a focus position simultaneous with the display of a first video segment on the display screen (Figure 1). Li discloses displaying a second control object, associated with a second video segment, adjacent to the focus position and moving the second control object to the focus position, and the first control object out of the focus position, in substantial synchronicity with a transition between the display of the first video segment and the second video segment on the display screen (page 3, Figure 1 and column 1, lines 1-10).

Referring to claim 12, Li discloses that the plurality of control objects can be

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scrolled based on input from a user of the video display system and wherein one of the plurality of objects can be selected based on input from a user of the video control system to thereby cause the selected object to move to the focus position on the display screen in substantial synchronicity with a start of the display of the video segment associated with the selected object (page 2, column 2, lines 50-52, page 3, Figure 1 and column 1, lines 1-3).

Referring to claim 13, Li discloses a focus frame moveable between the plurality of objects based on input from the user of the video display system (page 3, Figure 1 and column 1, lines 1-3).

Referring to claims 16 and 22, Li discloses a plurality of subobjects located in place of the second object, each corresponding to a respective video segment, to provide a selectable branching pathway from the video segment associated with the first control object (page 3, Figure 1).

Referring to claim 18, Li discloses that the video segments are displayed where the video frame is spaced from the focus position (page 3, Figure 1).

Referring to claim 20, Li discloses displaying a third control object, associated with a third video segment, adjacent to the focus position, whereby the focus position is interposed between the second control object and the third control object (Figure 1), wherein Li discloses a means for the user to move forward or "jump-next" to the next control object as displayed in Figure 1, wherein a first, second and third control objects are displayed. Li discloses simultaneously moving the third object off of the display screen, and a fourth object onto the display screen simultaneous with the movement of

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the first object out of the focus position and the second object into the focus position so that the end position results in the focus position being interposed between the first control object and the fourth control object (Figure 1, page 3, lines 1-10 and page 6, column 1, lines 18-21).

Referring to claim 21, Li discloses displaying a video segment associated with the control object located in the focus position within a video frame on the display screen, wherein the video frame is non-overlapped with the focus position (page 3, Figure 1).

(10) Response to Argument

Li discloses allowing the user to click on a particular shot to access video data and display the video data related to the frame that is selected. This teaching does not indicate that the system of Li teaches only allowing the user to access each frame through clicking and thereby not teach transitioning or moving from one frame to adjacent frame as a video is playing to indicate the corresponding frame that is highlighted when the video is played. Li further teaches that as the video is playing, the frame that corresponds to the currently playing shot is highlighted. This clearly teaches a means through which the system of Li ensures that the video data currently played corresponds with the frame that is highlighted, where highlight^{ed} frame would transition to^{KK} a second frame to move along with the corresponding video data. Li also describes a sync operation that allows for the current shot to be highlighted as the video plays to ensure that shot corresponds with the currently playing video data.

Appellant's arguments discusses a focus point where focus point has been interpreted by the Examiner as a point on the screen that has brought some type of focus or attention to it. The shot frame that is currently highlighted is interpreted as the focus point, where the currently highlighted frame is at focus and corresponds with the video data being played simultaneously. Appellant has relied on elements not claimed including the feature that focus position is intended to teach moving the frame to the center position in the screen. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. Li clearly teaches presenting the highlighted frame as the focus position in association with the currently playing video data, teaching a traversal method through which the highlighting frame would move to ensure that the currently highlighted frame corresponds with the currently played video data. Li teaches that as the video is playing, highlighting the frame associated with the currently playing video data, the focus position would change as the frame that is highlighted from the current frame to the adjacent frame as the video is playing, teaching the transition of the focus position to the corresponding new frame as the video is playing. Li teaches allowing users to browse through the shot frames but also teaches that corresponding shot frames are highlighted as the video is played with the sync operation. Li teaches that the highlighted frame corresponds with the video information as it is played, thereby teaching a synchronization means through which the focus position will transition as the video plays in order to correspond with the video data that is currently being displayed.

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Li teaches a move allowing for the second object to brought to focus position. Therefore, the adjacent frame, which is then brought to focus, is brought to focus by a move to a focus position. The highlight process carries out the move to a focus position, therefore the second object is moved to a focus position, through highlighting of the frame, which represents the second object.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

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For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,



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